

AMENDED IN SENATE JANUARY 14, 2002

AMENDED IN SENATE JANUARY 7, 2002

AMENDED IN SENATE MAY 2, 2001

AMENDED IN SENATE APRIL 16, 2001

SENATE BILL

No. 564

Introduced by Senator Speier

February 22, 2001

An act to amend ~~Section 4980.41~~ *Sections 2914, 4980.41, and 4996.2 of, to amend, repeal, and add Sections 2915 and 4996.22 of, and to add Section 4980.57 to, the Business and Professions Code, relating to counselors healing arts.*

LEGISLATIVE COUNSEL'S DIGEST

SB 564, as amended, Speier. ~~Marriage, family, and child counseling~~ *Healing arts: training in spousal or partner abuse treatment.*

Existing law provides for the licensing and regulation ~~by the Board of Behavioral Sciences in the Department of Consumer Affairs of persons engaged in~~ *of psychologists; marriage, family, and child counseling, unless specifically exempted counselors; and social workers.* ~~Existing~~ *Under existing law requires,* an applicant for licensure ~~as a marriage, family, and child counselor in these professions is required~~ to complete certain coursework or training in order to be eligible to sit for the licensing examination. ~~Existing law requires persons, except those who began graduate study prior to January 1, 1995, studying for a master's or doctor's degree qualifying for licensure to include, including,~~ coursework in spousal or partner abuse

assessment, detection, and intervention. *Existing law also requires these professionals to participate in continuing education as a prerequisite for renewing their license. A violation of the laws regulating marriage, family, and child counselors these professionals is a crime.*

This bill would require persons, except those an applicant for licensure as a psychologist; marriage, family, and child counselor; or social worker who began graduate study prior to on or after January 1, 2000 2004, studying for a master's or doctor's degree qualifying for licensure to include complete a minimum of 15 contact hours of training or coursework in spousal or partner abuse assessment, detection, and intervention strategies. The bill would also require marriage and family therapists a person licensed in these professions who began graduate study prior to January 1, 2004, to take a continuing education classes course in spousal or partner abuse assessment, detection, and intervention strategies. The bill would also require a licensed marriage and family therapist to satisfy continuing education requirements in spousal or partner abuse assessment, detection, and intervention within 4 years of the board establishing those continuing education requirements specify that this continuing education provision becomes operative on January 1, 2004.

Because a violation of the bill's requirements would be a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. *Section 2914 of the Business and Professions*
- 2 *Code is amended to read:*
- 3 2914. Each applicant for licensure shall comply with all of the
- 4 following requirements:
- 5 (a) Is not subject to denial of licensure under Division 1.5.

(b) Possess an earned doctorate degree (1) in psychology, (2) in education psychology, or (3) in education with the field of specialization in counseling psychology or educational psychology. Except as provided in subdivision (g), this degree or training shall be obtained from an accredited university, college, or professional school.

No educational institution shall be denied recognition as an accredited academic institution solely because its program is not accredited by any professional organization of psychologists, and nothing in this chapter or in the administration of this chapter shall require the registration with the board by educational institutions of their departments of psychology or their doctoral programs in psychology.

An applicant for licensure trained in an educational institution outside the United States or Canada shall demonstrate to the satisfaction of the board that he or she possesses a doctorate degree in psychology that is equivalent to a degree earned from a regionally accredited university in the United States or Canada. These applicants shall provide the board with a comprehensive evaluation of the degree performed by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES), and any other documentation the board deems necessary.

(c) Have engaged for at least two years in supervised professional experience under the direction of a licensed psychologist, the specific requirements of which shall be defined by the board in its regulations, or under suitable alternative supervision as determined by the board in regulations duly adopted under this chapter, at least one year of which shall be after being awarded the doctorate in psychology. If the supervising licensed psychologist fails to provide verification to the board of the experience required by this subdivision within 30 days after being so requested by the applicant, the applicant may provide written verification directly to the board.

If the applicant sends verification directly to the board, the applicant shall file with the board a declaration of proof of service, under penalty of perjury, of the request for verification. A copy of the completed verification forms shall be provided to the supervising psychologist and the applicant shall prove to the board that a copy has been sent to the supervising psychologist by filing

1 a declaration of proof of service under penalty of perjury, and shall
2 file this declaration with the board when the verification forms are
3 submitted.

4 Upon receipt by the board of the applicant's verification and
5 declarations, a rebuttable presumption affecting the burden of
6 producing evidence is created that the supervised, professional
7 experience requirements of this subdivision have been satisfied.
8 The supervising psychologist shall have 20 days from the day the
9 board receives the verification and declaration to file a rebuttal
10 with the board.

11 The authority provided by this subdivision for an applicant to
12 file written verification directly shall apply only to an applicant
13 who has acquired the experience required by this subdivision in the
14 United States.

15 The board shall establish qualifications by regulation for
16 supervising psychologists and shall review and approve applicants
17 for this position on a case-by-case basis.

18 (d) Take and pass the examination required by Section 2941
19 unless otherwise exempted by the board under this chapter.

20 (e) Show by evidence satisfactory to the board that he or she has
21 completed training in the detection and treatment of alcohol and
22 other chemical substance dependency. This requirement applies
23 only to applicants who matriculate on or after September 1, 1985.

24 (f) Show by evidence satisfactory to the board that he or she has
25 completed coursework; in spousal or partner abuse assessment,
26 detection, and intervention. *This requirement applies to applicants*
27 *who began graduate training during the period commencing on*
28 *January 1, 1995, and ending on December 31, 2003. An applicant*
29 *who began graduate training on or after January 1, 2004, shall*
30 *show by evidence satisfactory to the board that he or she has*
31 *completed a minimum of 15 contact hours of coursework in*
32 *spousal or partner abuse assessment, detection, and intervention*
33 *strategies, including knowledge of community resources, cultural*
34 *factors, and same gender abuse dynamics. Coursework required*
35 *under this subdivision may be satisfactory if taken either in*
36 *fulfillment of other educational requirements for licensure or in a*
37 *separate course. This requirement applies to applicants who begin*
38 *graduate training on or after January 1, 1995. This requirement for*
39 *coursework in spousal or partner abuse detection and treatment*
40 *shall be satisfied by, and the board shall accept in satisfaction of*

1 the requirement, a certification from the chief academic officer of
2 the educational institution from which the applicant graduated that
3 the required coursework is included within the institution's
4 required curriculum for graduation.

5 (g) An applicant holding a doctoral degree in psychology from
6 an approved institution is deemed to meet the requirements of this
7 section if all of the following are true:

8 (1) The approved institution offered a doctoral degree in
9 psychology designed to prepare students for a license to practice
10 psychology and was approved by the Bureau for Private
11 Postsecondary and Vocational Education on or before July 1,
12 1999.

13 (2) The approved institution has not, since July 1, 1999, had a
14 new location, as described in Section 94721 of the Education
15 Code.

16 (3) The approved institution is not a franchise institution, as
17 defined in Section 94729.3 of the Education Code.

18 *SEC. 2. Section 2915 of the Business and Professions Code is*
19 *amended to read:*

20 2915. (a) Except as provided in this section, on or after
21 January 1, 1996, the board shall not issue any renewal license
22 unless the applicant submits proof that he or she has completed no
23 less than 18 hours of approved continuing education in the
24 preceding year. On or after January 1, 1997, except as provided in
25 this section, the board shall issue renewal licenses only to those
26 applicants who have completed 36 hours of approved continuing
27 education in the preceding two years.

28 (b) Each person renewing his or her license issued pursuant to
29 this chapter shall submit proof of compliance with this section to
30 the board. False statements submitted pursuant to this section shall
31 be a violation of Section 2970.

32 (c) A person applying for relicensure or for reinstatement to an
33 active license status shall certify under penalty of perjury that he
34 or she is in compliance with this section.

35 (d) (1) The continuing education requirement shall include,
36 but shall not be limited to, courses required pursuant to Sections
37 25 and 28. The requirement may include courses pursuant to
38 Sections 32 and 2914.1 and those in spousal or partner abuse
39 assessment, detection, and intervention.

(2) In the event the board establishes a requirement for continuing education coursework in spousal or partner abuse detection or treatment, that requirement shall be met by each licensee within no more than four years from the date the requirement is imposed.

(3) Continuing education instruction approved to meet the requirements of this section shall be completed within the State of California, or shall be approved for continuing education credit by the American Psychological Association or its equivalent as approved by the board.

(e) The board may establish a policy for exceptions from the continuing education requirement of this section.

(f) The board may recognize continuing education courses that have been approved by one or more private nonprofit organizations that have at least 10 years' experience managing continuing education programs for psychologists on a statewide basis, including, but not limited to:

(1) Maintaining and managing related records and data.

(2) Monitoring and approving courses.

(g) The board shall adopt regulations as necessary for implementation of this section.

(h) A licensed psychologist shall choose continuing education instruction that is related to the assessment, diagnosis, and intervention for the client population being served or to the fields of psychology in which the psychologist intends to provide services, that may include new theoretical approaches, research, and applied techniques. Continuing education instruction shall include required courses specified in subdivision (d).

(i) A psychologist shall not practice outside his or her particular field or fields of competence as established by his or her education, training, continuing education, and experience.

(j) The administration of this section may be funded through professional license fees and continuing education provider and course approval fees, or both. The fees related to the administration of this section shall not exceed the costs of administering the corresponding provisions of this section.

(k) Continuing education credit may be approved for those licensees who serve as commissioners on any examination pursuant to Section 2947, subject to limitations established by the board.

1 *(l) This section shall remain in effect only until January 1,*
2 *2004, and as of that date is repealed, unless a later enacted statute,*
3 *which is enacted before January 1, 2004, deletes or extends that*
4 *date.*

5 SEC. 3. *Section 2915 is added to the Business and Professions*
6 *Code, to read:*

7 2915. (a) *Except as provided in this section, on or after*
8 *January 1, 1996, the board shall not issue any renewal license*
9 *unless the applicant submits proof that he or she has completed no*
10 *less than 18 hours of approved continuing education in the*
11 *preceding year. On or after January 1, 1997, except as provided in*
12 *this section, the board shall issue renewal licenses only to those*
13 *applicants who have completed 36 hours of approved continuing*
14 *education in the preceding two years.*

15 (b) *Each person renewing his or her license issued pursuant to*
16 *this chapter shall submit proof of compliance with this section to*
17 *the board. False statements submitted pursuant to this section*
18 *shall be a violation of Section 2970.*

19 (c) *A person applying for relicensure or for reinstatement to an*
20 *active license status shall certify under penalty of perjury that he*
21 *or she is in compliance with this section.*

22 (d) (1) *The continuing education requirement shall include,*
23 *but shall not be limited to, courses required pursuant to Sections*
24 *25 and 28. The requirement may include courses pursuant to*
25 *Sections 32 and 2914.1.*

26 (2) *The board shall require a licensed psychologist who began*
27 *graduate study prior to January 1, 2004, to take a continuing*
28 *education course during his or her first renewal period after the*
29 *operative date of this section in spousal or partner abuse*
30 *assessment, detection, and intervention strategies, including*
31 *community resources, cultural factors, and same gender abuse*
32 *dynamics. Equivalent courses in spousal or partner abuse*
33 *assessment, detection, and intervention strategies taken prior to*
34 *the operative date of this section or proof of equivalent teaching*
35 *or practice experience may be submitted to the board and at its*
36 *discretion, may be accepted in satisfaction of this requirement.*

37 (3) *Continuing education instruction approved to meet the*
38 *requirements of this section shall be completed within the State of*
39 *California, or shall be approved for continuing education credit by*

1 *the American Psychological Association or its equivalent as*
2 *approved by the board.*

3 *(e) The board may establish a policy for exceptions from the*
4 *continuing education requirement of this section.*

5 *(f) The board may recognize continuing education courses that*
6 *have been approved by one or more private nonprofit*
7 *organizations that have at least 10 years' experience managing*
8 *continuing education programs for psychologists on a statewide*
9 *basis, including, but not limited to:*

10 *(1) Maintaining and managing related records and data.*

11 *(2) Monitoring and approving courses.*

12 *(g) The board shall adopt regulations as necessary for*
13 *implementation of this section.*

14 *(h) A licensed psychologist shall choose continuing education*
15 *instruction that is related to the assessment, diagnosis, and*
16 *intervention for the client population being served or to the fields*
17 *of psychology in which the psychologist intends to provide*
18 *services, that may include new theoretical approaches, research,*
19 *and applied techniques. Continuing education instruction shall*
20 *include required courses specified in subdivision (d).*

21 *(i) A psychologist shall not practice outside his or her*
22 *particular field or fields of competence as established by his or her*
23 *education, training, continuing education, and experience.*

24 *(j) The administration of this section may be funded through*
25 *professional license fees and continuing education provider and*
26 *course approval fees, or both. The fees related to the*
27 *administration of this section shall not exceed the costs of*
28 *administering the corresponding provisions of this section.*

29 *(k) Continuing education credit may be approved for those*
30 *licensees who serve as commissioners on any examination*
31 *pursuant to Section 2947, subject to limitations established by the*
32 *board.*

33 *(l) This section shall become operative on January 1, 2004.*

34 **SEC. 4.** Section 4980.41 of the Business and Professions
35 **Code is amended to read:**

36 ~~4980.41. All applicants for licensure shall complete the~~
37 ~~following coursework or training in order to be eligible to sit for~~
38 ~~the licensing examinations:~~

1 ~~(a) A two semester or three quarter unit course in California law~~
2 ~~and professional ethics for marriage and family therapists, which~~
3 ~~shall include, but not be limited to, the following areas of study:~~

4 ~~(1) Contemporary professional ethics and statutory, regulatory,~~
5 ~~and decisional laws that delineate the profession's scope of~~
6 ~~practice.~~

7 ~~(2) The therapeutic, clinical, and practical considerations~~
8 ~~involved in the legal and ethical practice of marriage, family, and~~
9 ~~child counseling, including family law.~~

10 ~~(3) The current legal patterns and trends in the mental health~~
11 ~~profession.~~

12 ~~(4) The psychotherapist/patient privilege, confidentiality, the~~
13 ~~patient dangerous to self or others, and the treatment of minors~~
14 ~~with and without parental consent.~~

15 ~~(5) A recognition and exploration of the relationship between~~
16 ~~a practitioner's sense of self and human values and his or her~~
17 ~~professional behavior and ethics.~~

18 ~~This course may be considered as part of the 48 semester or 72~~
19 ~~quarter unit requirements contained in Section 4980.40.~~

20 ~~(b) A minimum of seven contact hours of training or~~
21 ~~coursework in child abuse assessment and reporting as specified~~
22 ~~in Section 28 or any regulations promulgated thereunder.~~

23 ~~(c) A minimum of 10 contact hours of training or coursework~~
24 ~~in human sexuality as specified in Section 25, and any regulations~~
25 ~~promulgated thereunder. When coursework in a master's or~~
26 ~~doctor's degree program is acquired to satisfy this requirement, it~~
27 ~~shall be considered as part of the 48 semester or 72 quarter unit~~
28 ~~requirement contained in Section 4980.40.~~

29 ~~(d) Except for persons who began graduate study prior to~~
30 ~~January 1, 1986, a master's or doctor's degree qualifying for~~
31 ~~licensure shall include specific instruction in alcoholism and other~~
32 ~~chemical substance dependency as specified by regulation. When~~
33 ~~coursework in a master's or doctor's degree program is acquired~~
34 ~~to satisfy this requirement, it shall be considered as part of the 48~~
35 ~~semester or 72 quarter unit requirement contained in Section~~
36 ~~4980.40.~~

37 ~~(e) Except for persons who began graduate study prior to~~
38 ~~January 1, 2001, a master's or doctor's degree qualifying for~~
39 ~~licensure shall include a minimum of 15 contact hours of training~~
40 ~~or coursework in spousal or partner abuse assessment, detection,~~

1 and intervention. Coursework required under this subdivision may
2 be satisfactory if taken either in fulfillment of other educational
3 requirements for licensure or in a separate course. The requirement
4 for coursework in spousal or partner abuse assessment, detection
5 and intervention strategies, including knowledge of community
6 resources, cultural factors, and same gender abuse dynamics, shall
7 be satisfied by, and the board shall accept in satisfaction of the
8 requirement, a certification from the chief academic officer of the
9 educational institution from which the applicant graduated that the
10 required coursework is included within the institution's required
11 curriculum for graduation.

12 (f) Except for persons who began graduate study prior to
13 January 1, 2001, an applicant shall complete a minimum of a two
14 semester or three quarter unit survey course in psychological
15 testing. When coursework in a master's or doctor's degree
16 program is acquired to satisfy this requirement, it may be
17 considered as part of the 48 semester or 72 quarter unit
18 requirement of Section 4980.40.

19 (g) Except for persons who began graduate study prior to
20 January 1, 2001, an applicant shall complete a minimum of a two
21 semester or three quarter unit survey course in
22 psychopharmacology. When coursework in a master's or doctor's
23 degree program is acquired to satisfy this requirement, it may be
24 considered as part of the 48 semester or 72 quarter unit
25 requirement of Section 4980.40.

26 (h) The requirements added by subdivisions (f) and (g) are
27 intended to improve the educational qualifications for licensure in
28 order to better prepare future licentiates for practice, and are not
29 intended in any way to expand or restrict the scope of licensure for
30 marriage and family therapists. *Code is amended to read:*

31 4980.41. All applicants for licensure shall complete the
32 following coursework or training in order to be eligible to sit for
33 the licensing examinations:

34 (a) A two semester or three quarter unit course in California law
35 and professional ethics for marriage, and family, and child
36 counselors therapists, which shall include, but is not *be* limited to,
37 the following areas of study:

38 (1) Contemporary professional ethics and statutory, regulatory,
39 and decisional laws that delineate the profession's scope of
40 practice.

(2) The therapeutic, clinical, and practical considerations involved in the legal and ethical practice of marriage, *and* family, ~~and child counseling therapy~~, including family law.

(3) The current legal patterns and trends in the mental health profession.

(4) The psychotherapist/patient privilege, confidentiality, the patient dangerous to self or others, and the treatment of minors with and without parental consent.

(5) A recognition and exploration of the relationship between a practitioner's sense of self and human values and his or her professional behavior and ethics.

This course may be considered as part of the 48 semester or 72 quarter unit ~~requirement~~ *requirements* contained in Section 4980.40.

(b) A minimum of seven contact hours of training or coursework in child abuse assessment and reporting as specified in Section 28 and any regulations promulgated thereunder.

(c) A minimum of 10 contact hours of training or coursework in human sexuality as specified in Section 25, and any regulations promulgated thereunder. When coursework in a master's or doctor's degree program is acquired to satisfy this requirement, it shall be considered as part of the 48 semester or 72 quarter unit requirement contained in Section 4980.40.

(d) ~~Except for~~ *For* persons who began graduate study ~~prior to~~ *on or after* January 1, 1986, a master's or doctor's degree qualifying for licensure shall include specific instruction in alcoholism and other chemical substance dependency as specified by regulation. When coursework in a master's or doctor's degree program is acquired to satisfy this requirement, it shall be considered as part of the 48 semester or 72 quarter unit requirement contained in Section 4980.40.

(e) ~~Except for~~ *For* persons who began graduate study ~~prior to~~ *during the period commencing on* January 1, 1995, *and ending on* December 31, 2003, a master's or doctor's degree qualifying for licensure shall include coursework in spousal or partner abuse assessment, detection, and intervention. *For persons who began graduate study on or after January 1, 2004, a master's or doctor's degree qualifying for licensure shall include a minimum of 15 contact hours of coursework in spousal or partner abuse assessment, detection, and intervention strategies, including*

1 *knowledge of community resources, cultural factors, and same*
2 *gender abuse dynamics.* Coursework required under this
3 subdivision may be satisfactory if taken either in fulfillment of
4 other educational requirements for licensure or in a separate
5 course. The requirement for coursework ~~in spousal or partner~~
6 ~~abuse detection and treatment~~ shall be satisfied by, and the board
7 shall accept in satisfaction of the requirement, a certification from
8 the chief academic officer of the educational institution from
9 which the applicant graduated that the required coursework is
10 included within the institution's required curriculum for
11 graduation.

12 (f) ~~Except for~~ For persons who began graduate study ~~prior to~~
13 ~~on or after~~ January 1, 2001, an applicant shall complete a
14 minimum of a two semester or three quarter unit survey course in
15 psychological testing. When coursework in a master's or doctor's
16 degree program is acquired to satisfy this requirement, it may be
17 considered as part of the 48 semester or 72 quarter unit
18 requirement of Section 4980.40.

19 (g) ~~Except for~~ For persons who began graduate study ~~prior to~~
20 ~~on or after~~ January 1, 2001, an applicant shall complete a
21 minimum of a two semester or three quarter unit survey course in
22 psychopharmacology. When coursework in a master's or doctor's
23 degree program is acquired to satisfy this requirement, it may be
24 considered as part of the 48 semester or 72 quarter unit
25 requirement of Section 4980.40.

26 (h) The requirements added by subdivisions (f) and (g) are
27 intended to improve the educational qualifications for licensure in
28 order to better prepare future licentiates for practice, and are not
29 intended in any way to expand or restrict the scope of licensure for
30 marriage and family therapists.

31 ~~SEC. 2.~~

32 *SEC. 5.* Section 4980.57 is added to the Business and
33 Professions Code, to read:

34 4980.57. (a) The board shall require ~~marriage and family~~
35 ~~therapists to take continuing education classes in spousal or~~
36 ~~partner abuse assessment, detection, and intervention strategies,~~
37 ~~including community resources, cultural factors, and same gender~~
38 ~~abuse dynamics.~~

39 ~~(b) If the board establishes a requirement for continuing~~
40 ~~education coursework in spousal or partner abuse assessment,~~

~~detection, or intervention, that requirement shall be met by each licensee within four years from the date the requirement is imposed.~~ *a licensee who began graduate study prior to January 1, 2004, to take a continuing education course during his or her first renewal period after the operative date of this section in spousal or partner abuse assessment, detection, and intervention strategies, including community resources, cultural factors, and same gender abuse dynamics. Equivalent courses in spousal or partner abuse assessment, detection, and intervention strategies taken prior to the operative date of this section or proof of equivalent teaching or practice experience may be submitted to the board and at its discretion, may be accepted in satisfaction of this requirement.*

(b) This section shall become operative on January 1, 2004.

~~SEC. 3.~~

SEC. 6. Section 4996.2 of the Business and Professions Code is amended to read:

4996.2. Each applicant shall furnish evidence satisfactory to the board that he or she complies with all of the following requirements:

(a) Is at least 21 years of age.

(b) Has received a master's degree from an accredited school of social work.

(c) Has had two years of supervised post-master's degree experience, as specified in Section 4996.20, 4996.21, or 4996.23.

(d) Has not committed any crimes or acts constituting grounds for denial of licensure under Section 480. The board shall not issue a registration or license to any person who has been convicted of any crime in this or another state or in a territory of the United States that involves sexual abuse of children or who is required to register pursuant to Section 290 of the Penal Code or the equivalent in another state or territory.

(e) Has completed adequate instruction and training in the subject of alcoholism and other chemical substance dependency. This requirement applies only to applicants who matriculate on or after January 1, 1986.

(f) Has completed instruction and training in spousal or partner abuse assessment, detection, and intervention. This requirement applies to an applicant who began graduate training during the period commencing on January 1, 1995, and ending on December

31, 2003. An applicant who began graduate training on or after January 1, 2004, shall complete a minimum of 15 contact hours of coursework in spousal or partner abuse assessment, detection, and intervention strategies, including knowledge of community resources, cultural factors, and same gender abuse dynamics.

Coursework required under this subdivision may be satisfactory if taken either in fulfillment of other educational requirements for licensure or in a separate course. ~~This requirement applies only to applicants who begin graduate training on or after January 1, 1995.~~ This requirement for coursework in spousal or partner abuse detection and treatment shall be satisfied by, and the board shall accept in satisfaction of the requirement, a certification from the chief academic officer of the educational institution from which the applicant graduated that the required coursework is included within the institution's required curriculum for graduation.

(g) Has completed a minimum of 10 contact hours of training or coursework in human sexuality as specified in Section 1807 of Title 16 of the California Code of Regulations. This training or coursework may be satisfactory if taken either in fulfillment of other educational requirements for licensure or in a separate course.

(h) Has completed a minimum of seven contact hours of training or coursework in child abuse assessment and reporting as specified in Section 1807.2 of Title 16 of the California Code of Regulations. This training or coursework may be satisfactory if taken either in fulfillment of other educational requirements for licensure or in a separate course.

SEC. 7. Section 4996.22 of the Business and Professions Code is amended to read:

4996.22. (a) (1) Except as provided in subdivision (c), on and after January 1, 2000, the board shall not renew any license pursuant to this chapter unless the applicant certifies to the board, on a form prescribed by the board, that he or she has completed not less than 36 hours of approved continuing education in or relevant to the field of social work in the preceding two years, as determined by the board.

(2) For those persons renewing during 1999, the board shall not renew any license pursuant to this chapter unless the applicant certifies to the board, on a form prescribed by the board, that he or she has completed not less than 18 hours of approved continuing

1 education in or relevant to the field of social work, as determined
2 by the board. The coursework of continuing education described
3 in this paragraph may be taken on or after the effective date of the
4 continuing education regulations adopted by the board pursuant to
5 the other provisions of this section.

6 (b) The board shall have the right to audit the records of any
7 applicant to verify the completion of the continuing education
8 requirement. Applicants shall maintain records of completion of
9 required continuing education coursework for a minimum of two
10 years and shall make these records available to the board for
11 auditing purposes upon request.

12 (c) The board may establish exceptions from the continuing
13 education requirement of this section for good cause as defined by
14 the board.

15 (d) The continuing education shall be obtained from one of the
16 following sources:

17 (1) An accredited school of social work, as defined in Section
18 4990.4, or a school or department of social work that is a candidate
19 for accreditation by the Commission on Accreditation of the
20 Council on Social Work Education. Nothing in this paragraph shall
21 be construed as requiring coursework to be offered as part of a
22 regular degree program.

23 (2) Other continuing education providers, including, but not
24 limited to, a professional social work association, a licensed health
25 facility, a governmental entity, a continuing education unit of an
26 accredited four-year institution of higher learning, and a mental
27 health professional association, approved by the board.

28 (3) The board shall establish, by regulation, a procedure for
29 approving providers of continuing education courses, and all
30 providers of continuing education, as described in paragraphs (1)
31 and (2), shall adhere to the procedures established by the board.
32 The board may revoke or deny the right of a provider to offer
33 continuing education coursework pursuant to this section for
34 failure to comply with the requirements of this section or any
35 regulation adopted pursuant to this section.

36 (e) Training, education, and coursework by approved
37 providers shall incorporate one or more of the following:

38 (1) Aspects of the discipline that are fundamental to the
39 understanding, or the practice, of social work.

1 (2) Aspects of the social work discipline in which significant
2 recent developments have occurred.

3 (3) Aspects of other related disciplines that enhance the
4 understanding, or the practice, of social work.

5 (f) A system of continuing education for licensed clinical social
6 workers shall include courses directly related to the diagnosis,
7 assessment, and treatment of the client population being served.

8 (g) The continuing education requirements of this section shall
9 comply fully with the guidelines for mandatory continuing
10 education established by the Department of Consumer Affairs
11 pursuant to Section 166.

12 (h) The board may adopt regulations as necessary to implement
13 this section.

14 (i) The board shall submit a report to the Legislature no later
15 than January 1, 2001, evaluating the progress of continuing
16 education required by this section, and making recommendations
17 therefor.

18 (j) On and after January 1, 1997, the board shall, by regulation,
19 fund the administration of this section through continuing
20 education provider fees to be deposited in the Behavioral Science
21 Examiners Fund. The fees related to the administration of this
22 section shall be sufficient to meet but shall not exceed the costs of
23 administering the corresponding provisions of this section. For
24 purposes of this subdivision, a provider of continuing education as
25 described in paragraph (1) of subdivision (d), shall be deemed to
26 be an approved provider.

27 (k) *This section shall remain in effect only until January 1,*
28 *2004, and as of that date is repealed, unless a later enacted statute,*
29 *which is enacted before January 1, 2004, deletes or extends that*
30 *date.*

31 SEC. 8. *Section 4996.22 is added to the Business and*
32 *Professions Code, to read:*

33 4996.22. (a) (1) *Except as provided in subdivision (c), on*
34 *and after January 1, 2000, the board shall not renew any license*
35 *pursuant to this chapter unless the applicant certifies to the board,*
36 *on a form prescribed by the board, that he or she has completed not*
37 *less than 36 hours of approved continuing education in or relevant*
38 *to the field of social work in the preceding two years, as determined*
39 *by the board.*

1 (2) *For those persons renewing during 1999, the board shall not*
2 *renew any license pursuant to this chapter unless the applicant*
3 *certifies to the board, on a form prescribed by the board, that he*
4 *or she has completed not less than 18 hours of approved continuing*
5 *education in or relevant to the field of social work, as determined*
6 *by the board. The coursework of continuing education described*
7 *in this paragraph may be taken on or after the effective date of the*
8 *continuing education regulations adopted by the board pursuant*
9 *to the other provisions of this section.*

10 (3) *The board shall not renew any license of an applicant who*
11 *began graduate study prior to January 1, 2004, pursuant to this*
12 *chapter unless the applicant certifies to the board that during the*
13 *applicant's first renewal period after the operative date of this*
14 *section, he or she completed a continuing course in spousal or*
15 *partner abuse assessment, detection, and intervention strategies,*
16 *including community resources, cultural factors, and same gender*
17 *abuse dynamics. Equivalent courses in spousal or partner abuse*
18 *assessment, detection, and intervention strategies taken prior to*
19 *the operative date of this section or proof of equivalent teaching*
20 *or practice experience may be submitted to the board and at its*
21 *discretion, may be accepted in satisfaction of this requirement.*

22 (b) *The board shall have the right to audit the records of any*
23 *applicant to verify the completion of the continuing education*
24 *requirement. Applicants shall maintain records of completion of*
25 *required continuing education coursework for a minimum of two*
26 *years and shall make these records available to the board for*
27 *auditing purposes upon request.*

28 (c) *The board may establish exceptions from the continuing*
29 *education requirement of this section for good cause as defined by*
30 *the board.*

31 (d) *The continuing education shall be obtained from one of the*
32 *following sources:*

33 (1) *An accredited school of social work, as defined in Section*
34 *4990.4, or a school or department of social work that is a*
35 *candidate for accreditation by the Commission on Accreditation*
36 *of the Council on Social Work Education. Nothing in this*
37 *paragraph shall be construed as requiring coursework to be*
38 *offered as part of a regular degree program.*

39 (2) *Other continuing education providers, including, but not*
40 *limited to, a professional social work association, a licensed*

1 health facility, a governmental entity, a continuing education unit
2 of an accredited four-year institution of higher learning, and a
3 mental health professional association, approved by the board.

4 (3) The board shall establish, by regulation, a procedure for
5 approving providers of continuing education courses, and all
6 providers of continuing education, as described in paragraphs (1)
7 and (2), shall adhere to the procedures established by the board.
8 The board may revoke or deny the right of a provider to offer
9 continuing education coursework pursuant to this section for
10 failure to comply with the requirements of this section or any
11 regulation adopted pursuant to this section.

12 (e) Training, education, and coursework by approved
13 providers shall incorporate one or more of the following:

14 (1) Aspects of the discipline that are fundamental to the
15 understanding, or the practice, of social work.

16 (2) Aspects of the social work discipline in which significant
17 recent developments have occurred.

18 (3) Aspects of other related disciplines that enhance the
19 understanding, or the practice, of social work.

20 (f) A system of continuing education for licensed clinical social
21 workers shall include courses directly related to the diagnosis,
22 assessment, and treatment of the client population being served.

23 (g) The continuing education requirements of this section shall
24 comply fully with the guidelines for mandatory continuing
25 education established by the Department of Consumer Affairs
26 pursuant to Section 166.

27 (h) The board may adopt regulations as necessary to implement
28 this section.

29 (i) The board shall submit a report to the Legislature no later
30 than January 1, 2001, evaluating the progress of continuing
31 education required by this section, and making recommendations
32 therefor.

33 (j) On and after January 1, 1997, the board shall, by regulation,
34 fund the administration of this section through continuing
35 education provider fees to be deposited in the Behavioral Science
36 Examiners Fund. The fees related to the administration of this
37 section shall be sufficient to meet but shall not exceed the costs of
38 administering the corresponding provisions of this section. For
39 purposes of this subdivision, a provider of continuing education as

1 *described in paragraph (1) of subdivision (d), shall be deemed to*
2 *be an approved provider.*

3 *(k) This section shall become operative on January 1, 2004.*

4 SEC. 9. No reimbursement is required by this act pursuant to
5 Section 6 of Article XIII B of the California Constitution because
6 the only costs that may be incurred by a local agency or school
7 district will be incurred because this act creates a new crime or
8 infraction, eliminates a crime or infraction, or changes the penalty
9 for a crime or infraction, within the meaning of Section 17556 of
10 the Government Code, or changes the definition of a crime within
11 the meaning of Section 6 of Article XIII B of the California
12 Constitution.

